

DOCUMENT RESUME

08111 - [C3348430]

**[Untimely Protest against Alleged Solicitation Impropriety],
B-193371. November 27, 1978. 1 pp.**

**Decision re: Postal Data Corp.; by Milton J. Socolar, General
Counsel.**

**Contact: Office of the General Counsel: Procurement Law I.
Organization Concerned: Department of Housing and Urban
Development.**

Authority: 4 C.F.R. 20.

**A company protested against awarding a contract under a
solicitation which it alleged contained provisions not
materially different from a prior contract. The protest, filed
after the closing date for receipt of proposals, was dismissed
as untimely. (HTW)**

DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON D.C. 20548

M. Frost

PL-C.G.

8430

FILE: B-193371

DATE: November 27, 1978

MATTER OF: Postal Data Corporation

DIGEST:

Protest filed after closing date for receipt of proposals against alleged impropriety in RFP is dismissed as untimely pursuant to § 20.2(b)(1) of Bid Protest Procedures.

Postal Data Corporation (Postal Data) protests the award of any contract under request for proposals (RFP) No. H-4271, issued by the Department of Housing and Urban Development. Postal Data alleges that the procurement should not be let under the provisions of part 1-3 of the FPR when it is not materially different from a prior contract, satisfactorily performed, awarded under part 1-2 of the FPR.

The closing date for receipt of proposals was October 6, 1978. Our Office received Postal Data's protest on October 31, 1978.

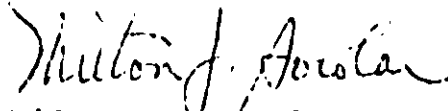
Section 20.2(b)(1) of our Bid Protest Procedures, 4 C.F.R. part 20 (1978), states:

"Protests based upon alleged improprieties in any type of solicitation which are apparent prior to bid opening or the closing date for receipt of initial proposals shall be filed prior to bid opening or the closing date for receipt of initial proposals.
* * *

Since Postal Data's protest against the impropriety of the RFP was not filed (received) in our Office prior to

the closing date for receipt of initial proposals, the protest is untimely and not for consideration.

Accordingly, Postal Data's protest is dismissed.

A handwritten signature in cursive script, appearing to read "Milton J. Spolar".

Milton J. Spolar
General Counsel